

### REMARKS

Applicant respectfully submits that the Jebens reference is directed to a system that is totally apart and distinct from the present invention. While the Examiner has cited numerous instances and passages that discuss filling out of forms and sending of e-mails, there is no teaching or suggestion of providing an e-mail having a dynamic and static section wherein the static section is first sent to the recipient and received by the recipient and only after opening of the static section by the recipient is the dynamic data forwarded on to the recipient.

The Jebens reference is directed to a digital management system wherein images are stored at a central host system 10. Authorized users (e.g. users 12 and 14) are allowed to have access to the host system. Users 12 are given access by image providers 14 to have access to the images stored at the host site. The users 12 must sign onto the host system with the appropriate ID and access. The e-mail "form" that is provided to the user 12 is filled out by the user 12 and provided to the host site for use by the host site in sending an e-mail to a designated recipient, such as suppliers 16.

Applicant refers the Examiner to column 7, lines 22-41 which discusses the users and the log-in routine that are used for the users. Thus, there is a clear authorization scheme that is used by the host system 10 to allow users to access the host system. The instructions that are provided on the e-mail "form" are instructions to be fulfilled by the host system in providing the e-mail to the suppliers/jobbers 16. There is no teaching or suggestion in Jebens that the host system would provide an e-mail having static and dynamic portions as taught and claimed by Applicant. Jebens simply teaches sending e-mailing to the supplier 16 with the appropriate information requested by user 12. See column 4, lines 62-67 which talks about the fulfillment of the work order that is sent to the receiving user specified in the destination and instruction form. Further, column 15 lines 1-8 makes it clear that the e-mail is sent to the receiving party either notify them that the job order will be sent or that the actual job order has been sent. There is no teaching or suggestion that an e-mail is sent to a recipient that includes both a static and dynamic portions such that only upon opening the static portion will then the dynamic portion be automatically sent to the recipient. Applicants respectfully submit that this is not taught or suggested in Jebens.

In view of the foregoing, Applicant respectfully submit that for the above-reasons and the reasons set forth in Applicant's previous response, that the claims in the present application are in condition for allowance and such action is respectfully requested.

Respectfully submitted,



Attorney for Applicant(s)  
Registration No. 27,370

Frank Pincelli/phw  
Rochester, NY 14650  
Telephone: 585-588-2728  
Facsimile: 585-477-4646